

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

AFFIDAVIT

BEFORE ME, the undersigned authority for said County and State, personally appeared **William C. Segrest**, who is known to me, and after being duly sworn, deposed and said as follows:

My name is **William C. Segrest**. I am currently employed as the Executive Director of the Alabama Board of Pardons and Paroles. In that capacity, among other duties, I am Custodian of the Records and supervise the Board's officers and administrative staff in carrying out the Board's policies.

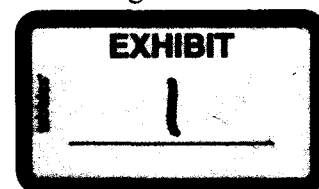
The Board adopted its existing policies on 2-23-04. Please see the true and correct copy of the *Rules and Regulations* and Board Order adopting the Board's existing rules and regulations taken from the Board's website of <http://www.pardons.state.al.us>, labled Exhibit D of Defendant's Special Report.

Also, see the *Rules, Regulations and Procedures of the Alabama Board of Pardons and Paroles (Revised 2/10/86)*, labeled Exhibit C of Defendant's Special Report.

I am not a member of the Board of Pardons and Paroles and do not have the decision-making authority in deciding which prisoners are granted or denied parole.

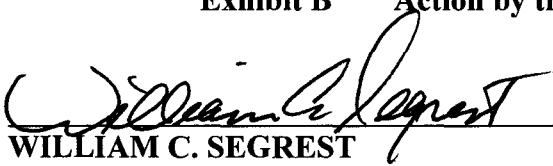
I have no decision-making authority in deciding when to reset a prisoner for further tentative parole consideration.

I deny violating any of Tony Broach's constitutional rights. Tony Broach never says what action I allegedly took to violate his constitutionally protected rights.




As Custodian of the Records, I certify that the following documents are true and correct copies taken from the parole file of **Tony Broach, AIS# 136351**:

Exhibit A Action by the Board, dated 8-11-05
Exhibit B Action by the Board, dated 9-15-99


WILLIAM C. SEGREST
EXECUTIVE DIRECTOR

SWORN TO AND SUBSCRIBED before me this 22nd day of May 2006
2006.


NOTARY PUBLIC
Commission Expires: 4-6-2010

STATE OF ALABAMA)
MONTGOMERY COUNTY)

AFFIDAVIT

BEFORE ME, the undersigned authority for said County and State, personally appeared **Eddie Cook**, who is known to me, and after being duly sworn, deposed and said as follows:

My name is **Eddie Cook**. I am currently employed as one of the Assistant Executive Directors of the Alabama Board of Pardons and Paroles. In that capacity, among other duties, I assist the Executive Director in supervising the Board's officers and administrative staff in carrying out the Board's policies. I also supervise the Field Administrative Division (Field Services); the Board's Transition Centers; and the Interstate Compact Unit.


I am not a member of the Board of Pardons and Paroles and have no decision-making authority in deciding which prisoners are granted or denied parole.

I have no decision-making authority in deciding when to reset a prisoner for further tentative parole consideration.

I deny violating any of Tony Broach's constitutional rights. Tony Broach never says what action I allegedly took to violate his constitutionally protected rights.


EDDIE COOK
ASSISTANT EXECUTIVE DIRECTOR

SWORN TO AND SUBSCRIBED before me this 22 day of May, 2006.


NOTARY PUBLIC
Commission Expires: 6-17-06



STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

AFFIDAVIT

BEFORE ME, the undersigned authority for said County and State, personally appeared **Sidney T. Williams**, who is known to me, and after being duly sworn, deposed and said as follows:

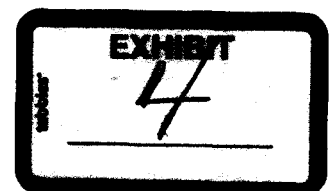
My name is **Sidney T. Williams**. I am currently employed as Chairman of the Alabama Board of Pardons and Paroles, where I preside over the Board's hearings conducted in open public meeting. In that capacity, among other duties, I am one of three regular board members who have the discretionary decision-making authority of whether or not to grant parole or deny parole during parole consideration hearings conducted in open public meetings. I also have the discretionary decision-making authority to reset a prisoner for further parole consideration in conjunction with the *Alabama Board of Pardons and Paroles Rules, Regulations, and Procedures (the "Rules")*.

I did not violate Tony Broach's due process rights. Broach does not have any due process rights when he is being considered for parole. At no time did I improperly consider Broach for parole or discriminate against him.

I am charged with the duty of personally studying prisoners so as to determine their ultimate fitness to be paroled. I did so in this case and decided to vote against granting clemency to Tony Broach, AIS# 136351.

I was **not** on the Board in 1999. I was appointed to serve on the Board by Governor Don Siegelman on October 29, 2001, and was named Chairman of the Board on that date.

✓ However, I did not take any Board action in relation to Broach until the August 11, 2005




hearing, where Broach was denied parole and reset for a tentative parole consideration date in August of 2007.

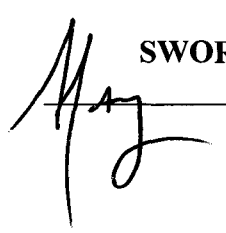
I deny acting arbitrary, capricious, abusive, discriminatory, or in a vindictive manner under the color of state law when considering Tony Broach. for parole in August of 2005, the date of the alleged constitutional violation. I exercised my discretionary decision-making authority in a manner consistent with Alabama law, where I decided to vote against paroling Tony Broach.

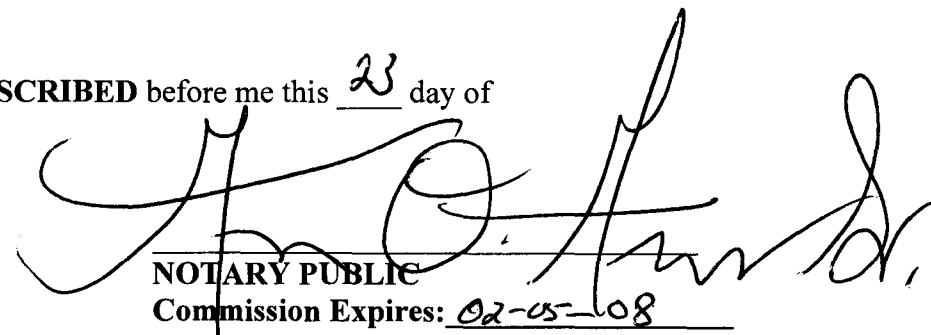
I also exercised my discretionary decision-making authority and voted to reset Broach for further tentative parole consideration in August of 2007 in accordance with the *Rules*. I deny violating the *Rules* or any state statutes.

I do not have the authority to extend or alter a prisoner's sentence. I deny violating Tony Broach's Eighth Amendment rights against Cruel and Unusual Punishment. My authority is listed in the Alabama parole statutes. Extending prison sentences is not listed in those statutes.

I deny violating *any* of Tony Broach's constitutionally protected rights. I acted within my lawful, discretionary authority when considering Broach for parole on August 11, 2005.


 SIDNEY T. WILLIAMS
 CHAIRMAN

 SWORN TO AND SUBSCRIBED before me this 23 day of _____ 2006.


 NOTARY PUBLIC
 Commission Expires: 02-05-08

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

AFFIDAVIT

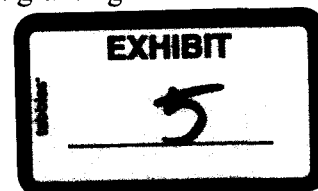
BEFORE ME, the undersigned authority for said County and State, personally appeared **VeLinda A.J. Weatherly**, who is known to me, and after being duly sworn, deposed and said as follows:

My name is **VeLinda A.J. Weatherly**. I am currently employed as an Associate Member of the Alabama Board of Pardons and Paroles. In that capacity, among other duties, I am one of three regular board members who have the discretionary decision-making authority of whether or not to grant parole or deny parole during parole consideration hearings conducted in open public meetings. I also have the discretionary decision-making authority to reset a prisoner for further parole consideration in conjunction with the *Alabama Board of Pardons and Paroles Rules, Regulations, and Procedures (the "Rules")*.

I deny violating any of Tony Broach's, AIS# 135,351, constitutional rights or acting arbitrary, capricious, abusive, discriminatory, or in a vindictive manner under the color of state law when I exercised my discretionary decision-making authority to decide whether or not to grant or deny parole to Broach on August 11, 2005.

I did not violate Tony Broach's due process rights. Broach does not have any due process rights when he is being considered for parole. At no time did I improperly consider Broach for parole or discriminate against him.

I am charged with the duty of personally studying prisoners so as to determine their ultimate fitness to be paroled. I did so in this case and decided to vote against granting



clemency to Broach on August 11, 2005. I voted to reset Broach for further tentative parole consideration in August 2007, which is clearly within the ambit of the current *Rules*. I deny violating the *Rules* or any state statutes.


In relation to Broach's claims where he was considered for parole in 1999 and reset for further consideration in 2002, I was not on the Board at that time. I was appointed to serve on the Board by Governor Bob Riley on January 29, 2004.

I deny violating Broach's Eighth Amendment rights against Cruel and Unusual Punishment. I have no authority to extend or to alter a prison term. My authority comes from the Alabama parole statutes. Extending sentences or prison terms is not listed in the Alabama parole statutes.

I deny violating *any* of Tony Broach's constitutionally protected rights. I acted within my lawful, discretionary authority when considering Broach for parole on August 11, 2005.


VELINDA A.J. WEATHERLY
ASSOCIATE MEMBER

SWORN TO AND SUBSCRIBED before me this 22nd day of May 2006.


NOTARY PUBLIC
Commission Expires: 4-6-2010

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

AFFIDAVIT

BEFORE ME, the undersigned authority for said County and State, personally appeared **Robert Longshore**, who is known to me, and after being duly sworn, deposed and said as follows:

My name is **Robert Longshore**. I am currently employed as an Associate Member of the Alabama Board of Pardons and Paroles. In that capacity, among other duties, I am one of three regular board members who have the discretionary decision-making authority of whether or not to grant parole or deny parole during parole consideration hearings conducted in open public meetings. I also have the discretionary decision-making authority to reset a prisoner for further parole consideration in conjunction with the *Alabama Board of Pardons and Paroles Rules, Regulations, and Procedures (the "Rules")*.

I deny violating any of Tony Broach's, AIS# 135,351, constitutional rights or acting arbitrary, capricious, abusive, discriminatory, or in a vindictive manner under the color of state law when I exercised my discretionary decision-making authority to decide whether or not to grant or deny parole to Broach on August 11, 2005.

I am charged with the duty of personally studying prisoners so as to determine their ultimate fitness to be paroled. I did so in this case and decided to vote against granting clemency to Broach on August 11, 2005. I voted to reset Broach for further tentative parole consideration in August 2007, a two-year set off, which is clearly within the ambit of the current *Rules*. I deny violating the *Rules* or any state statutes.

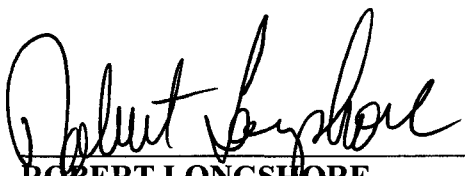


I did not violate Tony Broach's due process rights. Broach does not have any due process rights when he is being considered for parole. At no time did I improperly consider Broach for parole or discriminate against him.

In relation to Broach's claims involving where he was considered for parole in 1999 and reset for further consideration in 2002, I was not on the Board at that time. I was appointed to serve on the Board by Governor Bob Riley on July 1, 2005. I was not even employed with the State of Alabama in 1999 or 2002..


I deny violating Broach's Eighth Amendment rights against Cruel and Unusual Punishment. I have no authority to extend or to alter a prison term. My authority comes from the Alabama parole statutes. Extending sentences or prison terms is not listed in the Alabama parole statutes.

I deny violating any of Tony Broach's constitutionally protected rights. I acted within my lawful, discretionary authority when considering Broach for parole on August 11, 2005.



ROBERT LONGSHORE
ASSOCIATE MEMBER

SWORN TO AND SUBSCRIBED before me this 22 day of
May 2006.



NOTARY PUBLIC
Commission Expires: 6-7-06